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EXAMINER	
HUSSAIN, TAUQIR	

ART UNIT	PAPER NUMBER
2152	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/653,033	KING ET AL.	
	Examiner	Art Unit	
	Tauqir Hussain	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 August 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-37* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *04/13/2005, 05/31/2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-37 are pending in this application.

Claim Objections

2. Claim 10 and 11 are objected because they are duplicate claims depending on claim 9. Appropriate correction is required.

3. Claim 18 is dependent on 15. Examiner considers this as minor mistake and applicant meant claim 18 be dependent on 17. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-5, 8-9, 12-14, 16-23, 26-27, 30-32, 34-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hopprich et al. (Patent No.: US 6,792,474 B1), hereinafter "Hopprich" in view of Wheeler et al. (Pub. No.: US 2001/0054151 A1), hereinafter "Wheeler".

6. As to claim 1, Hopprich discloses, a method of transferring a host identity between a first host system and a second host system (Hopprich, Col.1, lines 1-4),

wherein a host identity can belong to only one host system at a time (Hopprich, Abstract, lines 1-8, where DHCP retains the host identity), the method comprising:

i) designating the second host system as a destination host system for the host identity (Hopprich, Col.2, lines 59-63, where DHCP server assigns an address to connected computers on the same network, which could be the second computer);

ii) the first host system encoding the host identity to be transferred using a parameter (Hopprich, Col.9, lines 12-16, where instructions are performed by the processor to assign encoded addresses and authentication, verification could be a parameter);

iii) the first host system divulging the result of the encoding (Hopprich, Col.9, lines 12-16, where performing an encoding process will obviously produce the results) and removing the host identity from its repository (Hopprich, Col.9, lines 37-42, where addresses are kept in memory or database and once the session is over address the host ID becomes invalid and has to get a new address upon reconnection which means corresponding host ID against the provided address gets deleted, corresponding ID could be a machine name, machine type, network name etc.);

iv) decoding the host identity to be transferred using the parameter (Hopprich, Col.24, lines 20-27, where decrypting is decoding and clear text version could be parameter). Hopprich is silent on the second host system, includes a host identity repository and adding the host identity to be transferred to its repository. However, Wheeler discloses, the second host system, includes a host identity repository and

adding the host identity to be transferred to its repository (Wheeler, [0008], where new identity is added in to one of the database of valid identities).

Therefore, it would have been obvious to one ordinary skilled in the art at the time the invention was made to combine the teachings of Hopprich with the teachings of Wheeler in order to provide a method for verifying the identity of a new-user of a computer system, in which at least one identity attribute is received from the new-user and similarity searched against at least one database of denied-user identity attributes to avoid fraudulent activity over the network (Wheeler, [0005]).

7. As to claims 17 and 19, are rejected for the same rationale as applied to claim 1 above as it is merely a repetition and recursion of steps performed on two machines where first and second parameter could be machine or host names.

8. As to claims 35-37, are rejected for the same rationale as applied to claims 1, 17 and 19 above as claim 35-37 are merely a system and program instruction stored on storage medium of claim 1, 17 and 19 above.

9. As to claims 2 and 20, Hopprich and Wheeler disclose, the invention substantially as in parent claims 1 and 19, including, wherein in divulging of the result of the encoding (Hopprich, Col.9, lines 35-52, where encoding process are performed with encoded instruction in the memory which is obviously an automated process) and the removal of the host identity from the repository of the first host system is performed atomically

(Hopprich, Col.19, lines 22-29, where address or associated host id becomes automatically invalid over the network upon expiration by address assignment process).

10. As to claims 3 and 21, Hopprich and Wheeler disclose, the invention substantially as in parent claims 1 and 19, including, the first host system also records the result of the encoding (Hopprich, Col.14, lines 44-52, where determining that coupled computer is not a native computer means there is a record of all the previous encoded processes saved in the database for comparison to find out if the machine is native, local, guest etc.).

11. As to claims 4 and 22, Hopprich and Wheeler disclose, the invention substantially as in parent claims 1 and 19, including, wherein the parameter is a property of the second host system (Hopprich, Col.14, lines 44-49, where request message obviously has the machine property for DHCP server to identity whether machine is native, local or guest and machine property could be machine name or MAC address which is also well known in the art).

12. As to claims 5 and 23, are rejected for the same rationale as applied to claims 4 and 22 above, since it is a IP network, therefore each NIC has embedded MAC address which could be a serial number for identity purposes.

13. As to claims 8 and 26, Hopprich and Wheeler disclose, the invention substantially as in parent claims 1 and 19, including, wherein the first and second host systems are each respective service processors in multi-computer system (Hopprich, Abstract, where DHCP and one or more computers on the network have processors which are obviously providing services to each other e.g. assigning addresses, running applications etc).

14. As to claims 9 and 27, Hopprich and Wheeler disclose, the invention substantially as in parent claims 8 and 26, including, wherein at least one said service processor is operable to allocate host identities to respective ones of a plurality of sub-systems (Hopprich, Abstract, where DHCP assigns address to requesting network computers).

15. As to claims 12 and 30, Hopprich and Wheeler disclose, the invention substantially as in parent claims 1 and 19, including, wherein an initiating entity designates the second host system as the destination host system for the host identity (Hopprich, Col.14, lines 44-49, where first available DHCP server detects the request and determines the device type before assigning and ID).

16. As to claims 13 and 31, Hopprich and Wheeler disclose, the invention substantially as in parent claims 12 and 30, including, wherein an initiating entity also designates the first host system as a source for the host identity to be transferred (Hopprich, Col.14, lines 53-57, where client sends a request along with preferred

network domain, which means requesting address from that particular network address range).

17. As to claims 14 and 32, Hopprich and Wheeler disclose, the invention substantially as in parent claims 12 and 31, including, wherein the initiating entity is an administrator system (Hopprich, Col.14, lines 44-49, where DHCP is an administrator system).

18. As to claims 16 and 34, are rejected for the same rationale as applied to claim 17 above and further official notice is taken for generating a log for host identity transaction is well known in the art along with auditing and logging all activities.

19. As to claim 18, is rejected for the same rationale as applied to claim 16 above.

20. Claims 6 and 24, are rejected under 35 U.S.C. 103(a) as being unpatentable over Hopprich and Wheeler as applied to claim 1-5 above in view of Benantar et al. (Patent No.: US 6,854,056 B1), hereinafter "Benantar".

21. As to claims 6 and 24, Hopprich and Wheeler disclose, the invention substantially as in parent claim 1 above. Hopprich and Wheeler are silent on first host system uses the signature to encodes the host identity to be transferred. However, Benantar discloses, on first host system uses the signature to encode the host identity to be

transferred (Benantar, Col.2, lines 43-48, where host identity is encrypted by using digital certificate).

Therefore, it would have been obvious to one ordinary skilled in the art at the time the invention was made to combine the teachings of Hopprich and Wheeler with the teachings of Benantar in order to provide a for coupling identities through the use of digital certificates, thereby allowing a client to be authenticated for a variety of services without those services having to modify their existing methods of authentication.

22. Claims 7 and 25, are rejected under 35 U.S.C. 103(a) as being unpatentable over Hopprich and Wheeler as applied to claim 1-5 above in view of Diersch et al. (Patent No.: US 6,101,606), hereinafter "Diersch".

23. As to claims 7 and 25, Hopprich and Wheeler disclose, the invention substantially as in parent claim 1 above. Hopprich and Wheeler are silent on, wherein the host identity is used for software licensing. However, Diersch discloses, the host identity is used for software licensing (Diersch, Col.5, lines 60-62, where module-10 checks the host ID against authorized software license on a computer network).

Therefore, it would have been obvious to one ordinary skilled in the art at the time the invention was made to combine the teachings of Hopprich and Wheeler with the teachings of Diersch in order to provide a system for securing protected software against unauthorized, i.e. non-licensed, use in computer networks.

24. Claims 10-11, 15, 28-29 and 33, are rejected under 35 U.S.C. 103(a) as being unpatentable over Hopprich and Wheeler as applied to claim 1-5, 8-9, 17, 19 –23, 26-27 and 34-37 above in view of "Blade Server IO Solutions", hereinafter "Qlogic".

25. As to claims 10 and 28, Hopprich and Wheeler disclose, the invention substantially as in parent claims 9 and 27. Hopprich and Wheeler are silent on, said at least one service processor is a shelf service processor for a shelf of a rack mountable blade system and at least one said sub-system is a processor blade receivable in the shelf. However, Qlogic discloses, said at least one service processor is a shelf service processor for a shelf of a rack mountable blade system (Qlogic, Page.2, Introduction, lines 1-5, where each blade server is mountable in rack mountable chassis and Qlogic, Page.2, Qlogic Complete Blade Product Portfolio, where disclosed is a common software management interface through which administrator can control the whole rack) and at least one said sub-system is a processor blade receivable in the shelf (Qlogic, Page.2, Introduction, lines 1-5, where each blade server is mountable in rack mountable chassis).

Therefore, it would have been obvious to one ordinary skilled in the art at the time the invention was made to combine the teachings of Hopprich and Wheeler with the teachings of Qlogic in order for corporations and administrators to carefully choose their IO hardware in order to maximize their blade server return on Investment.

26. As to claim 11, is duplicate claim as claim 10 and 28 above.

27. As to claim 29, is rejected for the same rationale as applied to claim 10 and 28 above.

28. As to claims 15 and 33, Hopprich, Wheeler and Qlogic discloses, the invention substantially as in parent claims, 14 and 32, wherein the administrator system is a system management server for a blade system (Qlogic, Page.2, Qlogic Complete Blade Product Portfolio, where disclosed is a common software management interface through which administrator can control the whole rack system which could be an a system management server).

Examiner's Note: Examiner has cited particular columns and line numbers in the references, as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tauqir Hussain whose telephone number is 571-270-1247. The examiner can normally be reached on 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571 272 3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TH

BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER

6/21/7